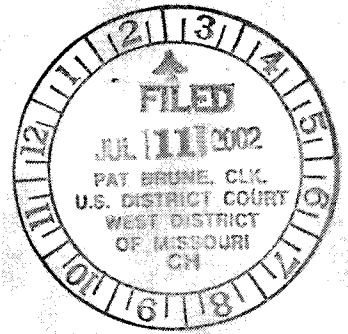


**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**



GREGORY C. HEATH and  
CARLENE HEATH

Plaintiffs,

vs.

BUILDING ERECTION  
SERVICES, INC.

Defendant.

Case No.:

Circuit Court Case No.: 02CV 74177

02-6087-CV-SJ-FJG

**NOTICE OF REMOVAL**

Defendant Building Erection Services, Inc. (BES) hereby gives Notice that it has Removed this Case to the United States District Court for the Western District of Missouri, Western Division, pursuant to 18 U.S.C. § 1441 et seq. and 28 U.S.C. § 1332.

In support of this Notice, BES states that this action is an action between citizens of different states, plaintiffs Gregory Heath and Carlene Heath are citizens of the State of Missouri. Defendant BES is a Kansas Corporation with its principal place of business in Kansas, a state other than Missouri. The matter in controversy exceeds Seventy-Five Thousand Dollars, exclusive of interest, costs and attorneys fees.

The action was commenced on May 29, 2002, by a Petition filed in the Circuit Court of Andrew County, Missouri assigned case number 02CV74177. Service was purportedly obtained upon BES on June 17, 2002. This Notice is within 30 days of that purported service.

A copy of the state court Petition (Exhibit A), the Summons (Exhibit B) and the Written Notice of Filing of Removal (Exhibit C), are attached hereto.

Respectfully submitted,

LATHROP & GAGE L.C.



Peter F. Daniel

Mo. #33798

Dale T. Smith

Mo. #45840

2345 Grand Boulevard

Kansas City, Missouri 64108

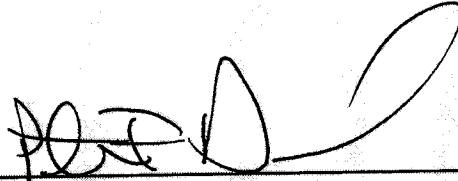
(816) 292-2000 FAX (816) 292-2001

**ATTORNEYS FOR DEFENDANT  
BUILDING ERECTION SERVICES, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing Notice of Removal was served upon the following persons by depositing a true copy thereof in the United States mail, postage prepaid and via facsimile, this 11 day of July, 2002:

James O. Turner  
2400 Frederick Avenue  
Suite 301, Frederick Towers  
St. Joseph, MO 64506  
Attorney for Plaintiffs



An Attorney for Defendant BES